

## Key HUD Statutes

- 1934     **National Housing Act:** Created the Federal Housing Administration (FHA) “to encourage improvements in housing standards and conditions (and) to provide a system of mutual mortgage insurance.” (Public Law 73-479)
- 1937     **United States Housing Act of 1937:** Created the public housing program. (Public Law 75-412)
- 1949     **Housing Act of 1949:** Established grant programs to assist state and local governments with community planning and urban renewal. It also established the national “...goal of a decent home and a suitable living environment for every American family.” (Public Law 81-171)
- 1959     **Housing Act of 1959:** Established the Section 202 Direct Loan Program for Housing for the Elderly and the FHA Mortgage Insurance for Nursing Homes program. (Public Law 86-372)
- 1964     **Civil Rights Act of 1964:** Title VI prohibited discrimination based on race, color, or national origin for any program receiving Federal financial assistance. (Public Law 88-352)
- 1965     **Department of Housing and Urban Development Act:** Created the Department in order “...to achieve the best administration of the principal programs of the federal government which provide assistance for housing and for the development of the nation’s communities, to assist the President in achieving maximum coordination of the various Federal activities which have a major effect upon urban community, suburban, or metropolitan development...and to provide for full and appropriate consideration, at the national level, of the needs and interests of the Nation’s communities and of the people who live and work in them.” (Public Law 89-117)
- 1968     **Civil Rights Act:** Prohibited discrimination in housing and gave HUD responsibility for administering those provisions. (Public Law 90-284)
- Housing and Urban Development Act of 1968:** Established rental and homeownership programs for lower-income families and provided for the partition of the Federal National Mortgage Association (Fannie Mae) into two separate and distinct corporate entities: (1) Fannie Mae, a private, government-sponsored enterprise; and (2) the Government National Mortgage Association (Ginnie Mae), a wholly owned government corporation whose powers and duties are vested in the Secretary of HUD. (Public Law 90-448)
- 1971     **Lead-Based Paint Poisoning Prevention Act:** Required the Secretary to establish procedures to eliminate, as far as practicable, the hazards of lead-based paint poisoning with respect to any existing housing that may present such dangers and which is covered by an application for mortgage insurance or housing assistance payments under a program administered by the Secretary. (Public Law 91-695)

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- 1973      **Rehabilitation Act of 1973:** Prohibited discrimination based on disability status in programs conducted by Federal agencies. (Public Law 93-112)
- 1974      **Housing and Community Development Act of 1974:** Created Community Development Block Grants for state and local governments “to promote the development of viable urban communities” and also established Section 8 rent subsidies for low-income families. (Public Law 93-383)
- National Manufactured Housing Construction and Safety Standards Act of 1974:** Established federal construction and safety standards for manufactured homes. It also authorized the inspection of manufactured home plants and records, and required the notification and correction of certain defects. (Public Law 93-383)
- 1983      **Housing and Urban-Rural Recovery Act:** Created the housing voucher program as an addition to Section 8 rent certificates and repealed authority to make new commitments under the Section 8 project-based program. (Public Law 98-181)
- 1987/88   **Stewart B. McKinney Homeless Assistance Act and the Stewart B. McKinney Homeless Assistance Amendments Act of 1988:** Created new programs to assist the homeless. (Public Law 100-77, Public Law 100-628)
- 1988      **Housing and Community Development Act of 1988:** Made housing vouchers a permanent program; allowed sale of public housing to resident management corporations, giving residents the ability to manage and buy their developments; and authorized enterprise zones. (Public Law 100-242)
- Fair Housing Amendments Act:** Expanded the scope of fair housing provisions of the Civil Rights Act of 1968 and gave HUD additional enforcement responsibilities. (Public Law 100-430)
- Anti-Drug Abuse Act of 1988:** Established the Public Housing Drug Elimination program. (Public Law 100-690)
- 1989      **Department of Housing and Urban Development Reform Act:** Established over 50 legislative reforms to help ensure ethical, financial, and management integrity. (Public Law 101-235)
- 1990      **Americans with Disabilities Act of 1990:** Prohibited discrimination based on disability status. (Public Law 101-336)
- Cranston-Gonzalez National Affordable Housing Act:** Created programs to empower the neediest through a variety of economic incentives, low-income homeownership opportunities, and other housing and economic development programs. Created the HOME, Housing Opportunities for Persons With AIDS (HOPWA), Shelter Plus Care programs, Section 202 Supportive Housing for the Elderly Program, and established the Section 811 Supportive Housing for Persons With Disabilities program and the HOPE programs. (Public Law 101-625)

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- 1992      **Housing and Community Development Act of 1992:** Established the Youthbuild and Low Income Housing Preservation and Homeownership programs and the Energy Efficient Mortgage program. Also created a comprehensive Lead Paint Hazards Reduction program, HUD risk-sharing programs with housing finance agencies and GSEs, and the Indian Housing Loan Guarantee program. (Public Law 102-550)
- Residential Lead-Based Paint Hazard Reduction Act of 1992:** Authorized the Secretary to provide grants to eligible applicants to evaluate and reduce lead-based paint hazards in housing that is not federally assisted, federally owned, or public housing. Eligible applicants include a state or unit of general local government that has an approved comprehensive housing affordability strategy under Section 105 of the Cranston-Gonzalez National Affordable Housing Act. (Public Law 102-550, Title X)
- Federal Housing Enterprises Financial Safety and Soundness Act (FHEFSSA):** Enacted by Title XIII of the Housing and Community Development Act of 1992, strengthened HUD's regulatory authority over Fannie Mae and Freddie Mac, the two housing Government-Sponsored Enterprises (GSEs) regulated by HUD to improve access to affordable housing to low- and moderate-income families. The Act provided, among other things, the framework by which HUD establishes, monitors, and enforces housing goals for these GSEs and expanded HUD's fair housing responsibilities over them. In addition, the Act established an independent Office of Federal Housing Enterprise Oversight within HUD to ensure that the GSEs are adequately capitalized and operating safely. (Public Law 102-550, Title XIII)
- 1994      **Multifamily Housing Property Disposition Reform Act of 1994:** Amended disposition requirements for multifamily mortgages. Created the Economic Development Initiative program. (Public Law 103-233)
- 1996      **Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA):** Established Indian Housing Block Grant and Loan Guarantee programs. (Public Law 104-330)
- 1997      **Multifamily Assisted Housing Reform and Affordability Act of 1997:** Established the Mark-to-Market program (M2M) and the Office of Multifamily Housing Assistance Restructuring (OMHAR) through the end of Fiscal Year 2001. Under this program, individual projects in HUD's multifamily portfolio of insured Section 8 housing projects would be restructured by resetting rents to market levels and reducing mortgage debt, if necessary, to permit a positive cash flow. (Public Law 105-65 (title V))
- 1998      **Quality Housing and Work Responsibility Act of 1998 (also known as the Public Housing Reform Act):** Made significant changes in the Public Housing and Section 8 tenant-based programs. Substantially deregulated high-performing public housing authorities, decreased poverty concentrations in public housing and promoted mixed-income communities, ensured that a threshold share of

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units and housing vouchers would remain available for the truly needy and created incentives for residents to become self-sufficient. (Public Law 105-276 (Title V))

1999 **Preserving Affordable Housing for Senior Citizens and Families into the 21<sup>st</sup> Century Act:** Enabled HUD to develop a broad range of housing options to meet the changing housing needs of senior citizens, and authorized Mark-up-to-Market, which protects low-income renters by minimizing the number of owners that choose to “opt-out” of the project-based housing assistance program. (Public Law 106-74 (title V))

2000 **Community Renewal Tax Relief Act of 2000 (Including New Market Initiatives):** Encouraged economic development in low- and moderate-income rural and urban communities. Created the New Market Tax Credit and Renewal Communities program; expanded the Empowerment Zones program; and increased the supply of low-income housing tax credits and private activity bonds. (Public Law 106-554)

**Omnibus Indian Advancement Act:** Established an American Indian Education Foundation to encourage and accept private gifts to help further education of Indian children attending BIA schools; offered increased economic development opportunities for Indian tribes; authorized new activities to help support and improve tribal governance; provided for settlement of a tribal land case in California; restored and re-established the federal trust relationship to two separate tribal groups, and improved housing assistance for American Indians and Native Hawaiians. (Public Law 106-568)

**American Homeownership and Economic Opportunity Act of 2000:** Permitted local housing officials to allow families receiving Section 8 assistance to aggregate up to a year’s worth of assistance to use toward homeownership; modified provisions aimed at reducing regulatory barriers to affordable housing; assisted the elderly and persons with disabilities through enhanced construction and financing programs; revised the manufactured housing program to involve a private consensus committee in the establishment of construction and safety standards and in the issuance of interpretative rules and expanded such program to include requirements relating to installation and dispute resolution; and provided additional housing opportunities for Native Americans and Native Hawaiians, including the establishment of the Native Hawaiian housing grant and loan guarantee programs, among other things. (Public Law 106-569)

2002 **Native American Housing Assistance and Self-Determination Reauthorization Act of 2002:** Reauthorized, through Fiscal Year 2007, the NAHASDA program and the Section 184 Indian Housing Loan Guarantee program. It made miscellaneous amendments to NAHASDA related to planning, regulations, and housing-related community development. (Public Law 107-292)

**Downpayment Simplification Act of 2002:** Made the FHA single family

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- downpayment simplification provisions permanent. The Act annually adjusted FHA multifamily housing loan limits, and it repealed the Ginnie Mae 3 percent guarantee fee increase that had been scheduled to take effect in Fiscal Year 2005. (Public Law 107-326)
- 2003 **The Hospital Mortgage Insurance Act of 2003:** Amended the requirements for mortgage insurance for hospitals under the National Housing Act. The Secretary must also conduct a study of the barriers that healthcare centers must overcome to obtain mortgage insurance. (Public Law 108-91)
- American Dream Downpayment Act:** Authorized downpayment assistance to low-income, first-time homebuyers under HUD's HOME program established a demonstration program for elderly housing for intergenerational families; amended the adjustable rate single family mortgages and loan limit adjustments; reauthorized the HOPE VI program; and changed the funding authorization for the CDBG Insular Areas program. (Public Law 108-186)
- 2004 **The Consolidated Appropriations Act, 2004:** Authorized HUD to access the National Directory of New Hires, which is administered by the Department of Health and Human Services. This directory allows HUD to conduct quarterly data matching of employment information in the National Directory of New Hires with employment information provided under HUD's public housing and Housing Choice Voucher programs. (Division G, Title II, Public Law 108-199)
- 2005 **Department of Defense Appropriations Act, 2006:** Provided supplemental funding through Section 8 for housing vouchers for victims of hurricanes Katrina and Rita and community development funds for disaster relief, long-term recovery, and restoration of infrastructure in the areas most impacted and distressed by the hurricanes. (Public Law 109-148)
- 2006 **Violence Against Women and Department of Justice Reauthorization Act of 2005:** Amended the United States Housing Act of 1937 by imposing new limitations on public housing authorities' ability to evict an entire public housing household whenever any member of the household or any household guest engages in drug-related or certain other criminal activity when domestic violence, or the threat thereof, is involved. (Public Law 109-162)
- Fiscal 2006 Emergency Supplemental for Iraq/Hurricane Relief:** Provided \$4.5 billion under the Housing and Community Development Act of 1974 for disaster relief, long-term recovery, and restoration of infrastructure in the most impacted and distressed areas related to the consequences of Hurricanes Katrina, Rita, and Wilma. (Public Law 109-234)
- Violence Against Women and Department of Justice Reauthorization Act of 2005, Technical Amendments:** Revised the United States Housing Act of 1937 to allow PHAs and landlords to evict or terminate occupancy rights of assisted housing tenants who commit acts of domestic violence against family members or others. (Public Law 109-271)

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**YouthBuild Transfer Act:** Transferred the YouthBuild Program from HUD to the Department of Labor (DOL). The Act repealed the program's statutory authority in the Cranston-Gonzalez National Affordable Housing Act and transferred it to subtitle D of Title I of the Workforce Investment Act. (Public Law 109-281)

**Department of Homeland Security Appropriations Act, 2007:** Required the implementation of the National Disaster Recovery Strategy. This Strategy requires that the Administrator of the Federal Emergency Management Agency, in coordination with the Secretary of Housing and Urban Development, heads of other appropriate Federal agencies, local government officials, and representatives of appropriate non-governmental organizations, to develop, coordinate, and maintain a Strategy to serve as a guide for recovery efforts after major disasters and emergencies. (Public Law 109-295)

2008 **Recovery Rebates and Economic Stimulus for the American People Act of 2008:** Raised the statutory ceiling on the maximum principal obligation of a mortgage originated between July 1, 2007 and December 31, 2008 that may be purchased by the Federal National Mortgage Association (Fannie Mae) or the Federal Home Loan Mortgage Corporation (Freddie Mac); established a temporary loan limit increase for FHA-insured mortgages in specified high-cost areas for which a borrower received credit approval by December 31, 2008; and granted the Secretary discretionary authority to increase loan limits in 2008 based upon the size and location of residences in particular areas. (Public Law 110-185)

**Housing and Economic Recovery Act of 2008:** Overhauled regulation of the GSEs; made reforms and updates to FHA's insurance programs, primarily the single family insurance programs; amended the U.S. Housing Act of 1937 to address regulatory burden on small public housing agencies (PHAs); and made certain reforms to HUD's affordable housing preservation programs. HERA also introduced four new programs for HUD: the Neighborhood Stabilization Program, HOPE for Homeowners, the SAFE Mortgage Licensing Act, and the Housing Trust Fund. (Public Law 110-289)

**Emergency Economic Stabilization Act of 2008:** Authorized the Secretary of Treasury to purchase and insure certain types of troubled assets for the purposes of providing stability to and preventing disruption in the U.S. economy and financial system and established the Troubled Assets Relief Program. The Secretary of HUD is a member of the oversight board for the program, the Financial Stability Oversight Board. (Public Law 110-343)

**The Native American Housing Assistance and Self-Determination Reauthorization Act of 2008:** Reauthorized NAHASDA through 2013 and made several amendments to the statutory requirements governing the Indian Housing Block Grant program and the NAHASDA Title VI Loan Guarantee Program. The Act amended section 106 of NAHASDA to provide that HUD shall "initiate a negotiated rulemaking in accordance with this section by not

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later than 90 days after enactment of the Act.” (Public Law 110-411)

**2009      The American Recovery and Reinvestment Act of 2009:** The American Recovery and Reinvestment Act of 2009 made appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization. With respect to HUD, appropriations were provided for the following areas: the Public Housing Capital Fund; Native American Housing Block Grants; the Community Development Fund, including additional funding for a second Neighborhood Stabilization Program; Low-Income Housing Tax Credits to be administered to State Housing Finance Agencies through the formula allocation of the HOME Investment Partnerships Program; Homelessness Prevention; Assisted Housing Stability and Energy and Green Retrofit Investments; and Lead Hazard Control grants. (Public Law 110-5)

**Helping Families Save Their Homes Act of 2009:** Authorized the Secretary of HUD to modify mortgages at risk of default and establish a program for payment of a partial claim to certain mortgagees; authorized new programs to prevent single and multifamily foreclosures; and modified the HOPE for Homeowners program. The Act also amended the McKinney-Vento Homeless Assistance Act to consolidate the separate competitive homeless assistance programs into the Continuum of Care program, expand the Emergency Shelter Grants program and rename it the Emergency Solutions Grants program, and establish the Rural Housing Stability Assistance Program.

**Consolidated Appropriations Act, 2010:** Appropriated funds for the Choice Neighborhoods Initiative, the Energy Innovation Fund, and the Sustainable Communities Initiative. (Public Law 111-117)

**2010      Dodd-Frank Wall Street Reform and Consumer Protection Act:** Created the Consumer Financial Protection Bureau (CFPB), and transferred functions from HUD relating to the Real Estate Settlement Procedures Act of 1974 (RESPA), the Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (SAFE), and the Interstate Land Sales Full Disclosure Act. The Act created within HUD the Office of Housing Counseling and directed the Secretary and the Director of the new CFPB to maintain a public database of information on foreclosures and defaults on mortgage loans for one- to four unit residential properties. It required HUD to develop a program to protect tenants of at-risk multifamily properties and a competitive grant program to provide foreclosure legal assistance to low- and moderate-income homeowners and tenants related to home ownership preservation, home foreclosure prevention, and tenancy associated with home foreclosure. It also authorized funding for the Emergency Homeowners’ Relief Fund and a third round of the Neighborhood Stabilization Program. (Public Law 111-203)

**Section 202 Supportive Housing for the Elderly Act of 2010:** Amended the statutory authority for the refinancing of Section 202 loans for supportive housing for the elderly under section 202 of the Housing Act of 1959. The new

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authority allowed the refinancing of certain low-interest Section 202 loans on a continuing basis, and required an additional 20-year affordability period in connection with the refinancing of any Section 202 loan. It further authorized new 20-year Section 8 project-based contracts for the project rental assistance for supportive housing for the elderly. (Public Law 111-372)

**Frank Melville Supportive Housing Investment Act of 2010:** Amended section 811 of the Cranston-Gonzalez National Affordable Housing Act to revise the requirements for supportive housing for persons with disabilities. It repealed the authority of the Secretary to provide tenant-based rental assistance directly to eligible persons with disabilities, and instead authorized appropriations for such assistance under section 8 (rental voucher program) of the United States Housing Act of 1937. It also modified the requirements for the project rental assistance contract, including renewal of, and increases in, annual contract amounts, revised tenant selection procedures, required a lease between a tenant and a housing owner to be for at least one year, and revised the application of cost limitations developed by the Secretary to supportive housing. (Public Law 111-374)

2011 **Consolidated and Further Continuing Appropriations Act, 2012:** Authorized the Rental Assistance Demonstration (RAD) Program and the Project Rental Assistance Demonstration. (Public Law 112-55)